

ORDINANCE NO. 636

AN ORDINANCE ADOPTING **THE "UNIFORM BUILDING CODE"**, 1958 EDITION, **VOLUMES I AND III**, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCE NO. 554 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 4th day of February, 1959 read the title of the above entitled ordinance and did thereupon schedule a public hearing thereon for February 25, 1959 at the hour of 8:00 o'clock p.m. of said day in the Council Chambers of the City Hall, Lodi, California, in accordance with the provisions of Section 50022.3 of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file herein; and

WHEREAS, at the time set for hearing, protests were received and overruled by the City Council;

NOW, THEREFORE, the City Council of the City of Lodi does ordain **as follows:**

Section 1. The provisions set forth in Volumes I and III of the "Uniform Building Code" 1958 Edition, together with the Appendices thereto, are hereby adopted and shall obtain in all matters pertaining to the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Lodi, California, to the

issuance of building permits and the collection of fees therefor and to the enforcement of the rules and regulations as set forth in said Volumes I and III, and appendices thereto, of the "Uniform Building Code" 1958 Edition, which Code is hereby adopted as the Building Code of the City of Lodi.

Section 2. Ordinance No. 554 entitled "An Ordinance Adopting the 'Uniform Building Code' 1955 Edition Vol. I, Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Conversion, Demolition, Occupancy, Equipment, Use, Height, Area, and Maintenance of Buildings or Structures in the City of Lodi Providing for the Issuance of Permits and Collection of Fees Therefor; Declaring and Establishing Fire Districts; Providing Penalties for the Violation Thereof, and Repealing all Ordinances and Parts of Ordinances in Conflict Therewith" is hereby repealed and all ordinances or parts of ordinances in conflict herewith are also hereby repealed.

Section 3. The revisions, additions and exceptions to the first mentioned code, which are hereby approved by the City Council as exceptions, as hereinafter stated, are as follows:

CHAPTER 1: Sec. 104 (h) Add section -

No person, firm or corporation shall move or cause to be moved any building or structure within the incorporated area or into the incorporated area of the City of Lodi without first obtaining a moving permit from the Chief Building Inspector. Any such building or structures not fully meeting the requirements of the Building Code shall be repaired or remodeled in conformity with the provisions of this Code either at the time of moving or after it reaches its destination. In the event that the repair or remodel cannot be done before moving, the owner of the building

or structure may for the purpose of obtaining the moving permit file with the Building Department a corporate surety bond **or** cash in an amount equal to the sum of the repair **or** remodel, said amount as estimated by the Chief Building Inspector; said bond guaranteeing that the repairs or remodel shall be completed within six months from the time of moving. In the event the remodel or repairs have not been completed in the specified time, the Chief Building Inspector shall initiate steps to complete repairs **or** remodel and apply costs against the forfeited bond.

Notwithstanding the provisions of this **section of the Code**, if in the opinion of the Chief Building Inspector the building or structure is not suitable for the purposes proposed **and/or** structurally does not conform to the minimum requirements of this ordinance, a moving permit can be refused.

A written notice of appeals may be filed as per the allowed time limits for a hearing before the Board of Appeals of the City of **Lodi** as per Section 204 of the Building Code of the City of Lodi.

CHAPTER 2: **Sec. 201.** Change to read -

There is hereby established in the City the "Building Divison of Department of Public **Works**" which shall be under the jurisdiction of the Chief Building Inspector designated by the appointing authority, and whenever in this code it reads "Building Official" it shall mean "Chief Building Inspector".

CHAPTER 2: **Sec. 204.** Change to read -

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of this Code, there shall be and is hereby created a Board of Appeals, consisting of five members who are qualified by experience and training to pass upon matters pertaining to building **or** structural construction. The Chief Building Inspector

shall be an ex-officio member and shall act as Secretary of the Board. The Board of Appeals shall be appointed by the Mayor with the approval of the Council. Three members present shall constitute a quorum and no act of the Board shall be valid unless a majority of the full Board shall concur therein.

The Board of Appeals shall adopt reasonable rules and regulations for conducting a meeting and investigations and shall render a decision and findings in duplicate. A copy will go to the Chief Building Inspector with the other copy to the applicant. The Board may also make recommendations to the City Council such new legislation as is consistent therewith.

CHAPTER 3: Sec. 303

Table No. 3A - Building Permit Fees

TOTAL VALUATION

Less than \$20.00	No Fee
\$20.00, to and including \$100.00	\$2.00
More than \$100.00, to and including \$400.00	\$3.00
More than \$400.00, to and including \$700.00	\$5.00
More than \$700.00, to and including \$1000.00	\$7.00
Each additional \$1000.00 or fraction, to and including \$15,000.	\$2.50
Each additional \$1000.00 or fraction, to and including \$50,000.	\$1.00
Each additional \$1000.00 or fraction, more than \$50,000.	\$.50

CHAPTER 3: Sec. 303 - Sub. (b)

Plan Checking Fees. When plans are submitted as required by Section 301, Subsection (c), requiring engineering data to be checked, a plan checking fee shall be charged equal to one half of the building permit fee as set forth in Table No. 3-A.

Special Fee: A \$2.00 additional fee shall be charged on each fireplace installed.

CHAPTER 3: Sec. 304 (d)

After #2, Frame Inspection, add sub-paragraph -

2-(a) Fireplace inspection: To be made after the fireplace has been constructed to the "Smoke Shelf" height and before starting flue.

CHAPTER 5: Sec. 505

Table #5A - Wall and Opening Protection of Occupancies Based on Location on Property - change to read -

Group "B" through "H" Occupancies; Fire Resistance of Exterior Walls. Type IV & V Construction.

Exterior walls of Type IV & V Construction shall be of "Four-hour Fire Resistive" Construction when they are closer than five feet (5') to the property line with no openings permitted, regardless of fire zone.

CHAPTER 25: Sec. 2516 (a) second paragraph, change to read -

Minimum clearance between bottom of floor joists and the ground - 18"; or bottom of **floors** without joists and the ground - 24".

Section 4. It shall be unlawful for any person, firm **or** corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy, or maintain any building **or** structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

Any person, firm, **or** corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day **or** portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such

person shall be punishable by a fine of not more than \$300.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment,

Section 5. This Ordinance shall be published one time in the Lodi News-Sentinel, Lodi, California, and shall be in force and take effect thirty days after its passage.

Approved this 4th day of March, 1959.

Bozant Katzakian
BOZANT KATZAKIAN, Mayor

Attest:

Beatrice Garibaldi
BEATRICE GARIBALDI, City Clerk

State of California)
County of San Joaquin) ss.

I, BEATRICE GARIBALDI, City Clerk of the City of Lodi and ex-officio Clerk of the City Council of said City, do hereby certify that the foregoing Ordinance No. 636 was introduced in a regularly adjourned meeting of said City Council held February 25, 1959, and was thereafter passed, adopted and ordered to print at a regular meeting of the City Council held March 4, 1959, by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell,
Robinson and Katzakian

NOES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 636 was approved and signed by the Mayor on the date of its passage and has been published pursuant to law.

Beatrice Garibaldi
BEATRICE GARIBALDI, City Clerk

Dated: March 5, 1959